

**THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**RICHARD KATZ,**

**Plaintiff,**

**v.**

**NATIONAL BOARD OF MEDICAL  
EXAMINERS, et al.,**

**Defendants.**

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**3:15-CV-1187  
(JUDGE MARIANI)**

**ORDER**

The background of this Order is as follows:

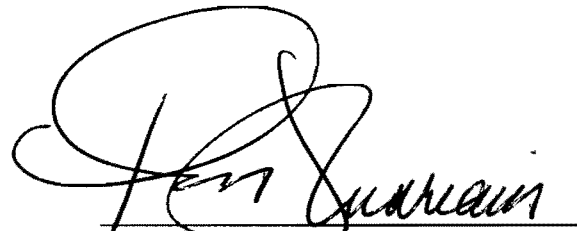
On May 10, 2016, Magistrate Judge Saporito issued a Memorandum, (Doc. 116), which resolved several pending discovery disputes that had arisen in the case. On February 28, 2017, Plaintiff filed the Motion presently before the Court, (Doc. 209), seeking to seal the Magistrate Judge's Memorandum. To support his Motion, Plaintiff argues that the Memorandum contains highly sensitive information regarding his medical and psychiatric history. (Doc. 209 at 1).

Although Plaintiff's Motion does not specify what material in the Memorandum is highly sensitive, a review of the document shows that only two portions arguably touch upon the specifics of Plaintiff's medical and psychiatric history. First, the Memorandum summarizes Plaintiff's claimed physical and mental impairments. (Doc. 116 at 9-10). This portion of the Memorandum, however, is not a review of Plaintiff's medical history, but instead a summary of what Plaintiff has claimed via his Amended Complaint. Indeed, the Memorandum mostly quotes from the Amended Complaint. As the Amended Complaint,

(Doc. 63, 107), is also part of the public record, the Memorandum does not disclose anything that was not already part of the public record, and, in fact, put there by Plaintiff.

Second, in two instances, the Memorandum lists individuals and institutions to which Defendants had sent subpoenas. (Doc. 116 at 3, 5). This, however, is also a reproduction of information that was already put in the public record by Plaintiff. Plaintiff filed "objections" to Defendants subpoenas in which he listed all the individuals and institutions to which Defendants had sent subpoenas. (Doc. 74, 90). Thus, the Memorandum contains no psychological or medical information that Plaintiff did not already put in the public record elsewhere on the docket.

**AND NOW, THIS 3rd DAY OF APRIL, 2017**, upon consideration of Plaintiff's Motion to Seal, (Doc. 209), **IT IS HEREBY ORDERED THAT** the Motion is **DENIED**.



Robert D. Mariani  
United States District Judge